



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF THE EXTRADITION OF JESUS RAMIREZ AGUILAR)))	Case No. 8:08MJ83
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**EXTRADITION CERTIFICATION
AND ORDER OF COMMITMENT**

These extradition proceedings were commenced by the United States pursuant to 18 U.S.C. § 3184 and the Treaty on Extradition between the United States and Mexico of May 4, 1978, (hereinafter "Treaty"). Jesus Ramirez Aguilar (hereinafter "defendant") was provisionally arrested at the request of Mexico on April 24, 2008. Pursuant to the Treaty, Mexico authorities presented a formal request for the defendant's extradition supported by appropriate documentation.

The defendant's extradition is sought by Mexico for prosecution for the offenses of homicide.

On August 21, 2008, this court conducted an extradition hearing pursuant to 18 U.S.C. § 3184.* Based on consideration of the documentary evidence introduced on behalf of Mexico, oral arguments of counsel, written memoranda, and the defendant's purported waiver of extradition, the court finds that the terms of the Treaty and 18 U.S.C. § 3184 have been met.

Specifically, the court finds the following:

1. That there is an extradition treaty in force between the United States and Mexico, namely, the Treaty, and this court has jurisdiction in this matter;
2. That there are criminal charges pending against the defendant in Mexico charging him with homicide, in violation of Articles 201, 202 and 204 of the Criminal Procedure Code for the State of Guanajuato;
3. That the crimes with which the defendant is charged are extraditable offenses within the terms of Article XI of the Treaty;

* The defendant and the government jointly requested a continuance of the extradition hearing (Filing No. 10).

4. That the defendant who appeared before this Court is the same person who is charged in Mexico in an arrest warrant issued by a Judge in the State of Guanajuato, Mexico, on February 26, 1997; and

5. That the evidence establishes probable cause to believe that the defendant committed the charged offenses.

For the foregoing reasons, this matter is certified to the Secretary of State in order that a warrant may issue for the surrender of the defendant to the proper authorities of Mexico in accordance with the Extradition Treaty between the United States of America and Mexico.

IT IS ORDERED that Jesus Ramirez Aguilar is committed to the custody of the United States Marshal, or his authorized representative, to be confined in appropriate facilities and to remain until he is surrendered to Mexico pursuant to applicable provisions of the Treaty and United States law.

IT IS FURTHER ORDERED that the United States Attorney for this judicial district shall forward a copy of this Certification and Order together with a copy of all transcripts of proceedings and copies of documents received into evidence in this matter to the Secretary of State. The Clerk shall also mail a copy of this Certification and Order to:

Office of International Affairs
Criminal Division
U.S. Department of Justice
1400 New York Avenue, N.W.
Washington, D.C. 20005

ENTERED this 26th day of September, 2008, at Omaha, Nebraska.

BY THE COURT:



THOMAS D. THALKEN
United States Magistrate Judge